IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Helena Lindskog	§	Group Art Unit:	2169
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Application No:	10/519,606	§	Examiner:	Hoang, Son T
		§		
Filed:	07/25/2005	§	Confirmation No:	2617
		§		

Attorney Docket No: P17223-US1
Customer No.: 27045

For: Method and System for Managing Cookies According to a Privacy Policy

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Issues regarding the Pre-Appeal Brief Request are as follows:

PENDING REJECTIONS

The Examiner rejected claims 25-29, 33-36, 37-43 and 44-47 as being anticipated by Platform for Privacy Preferences Syntax Specification, by Cranor, et al. (hereinafter "Cranor"). The Examiner rejected claims 31, 32 and 43 as being unpatentable over Cranor in view of Mitchell, et al. (U.S. Patent No. 6,959,420) (hereinafter "Mitchell"). The Applicant respectfully traverses the rejections.

ARGUMENTS

1.)   Claim Rejections – 35 U.S.C. §102(b)

First, it is to be remembered that anticipation requires that the disclosure of a single piece of prior art reveals **every** element, or limitation, of a claimed invention. Furthermore, the limitations that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitation, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Whereas Cranor fails to anticipate each and every limitation of claims 25-29, 33-36, 37-43 and 44-47, those claims are not anticipated thereby.

Claim 25 recites:

> 25.   A method of managing cookies in a data processing system, said method comprising the steps of:
> a user agent requesting a resource associated with a cookie from a content provider;
> receiving a privacy policy associated with said cookie; and,
> said user agent transmitting, in response to reception of said privacy policy associated with said cookie, a cookie-policy receipt to said content provider, said cookie-policy receipt specifying whether a user associated with said user agent accepts that said content provider provides said cookie to user equipment associated with said user agent. (emphasis added).

The Applicant's invention relates to methods and apparatus for managing cookies according to a privacy policy. A user agent requests a resource that is associated with a cookie from a content provider and the content provider transmits to the user agent a privacy policy associated with the cookie. In response to the reception of the privacy policy, the user agent transmits a cookie-policy receipt to the content provider in order to inform the content provider if the user agent accepts that the content provider provides the cookie to the user agent.

Cranor describes privacy preferences and how they are used by a user agent. Cranor does not, however, disclose a user agent that transmits

information to a content provider regarding whether it accepts the content provider's privacy policy. According to Cranor, the service suggests a privacy policy that a user agent can agree to or reject. If the user agent does not allow a certain policy, however, the user is still given an opportunity to authorize the received data. Thus, the difference between the present invention and Cranor is that the Applicant's invention provides means for informing the content provider if the user agent agrees that the content provider can provide the cookie to the user agent.

If the user of the user agent does not allow cookies. certain web sites (*i.e.*, content providers) may not be able to function properly. By using the present invention the web-site can choose to select to transmit a cookie-less version of the web-site if the user agent does not accept cookies. Thus, a website that otherwise would not have functioned properly can now function properly if the content provider then transmits a cookie-less version in response to receiving the cookie-policy receipt from the user agent. One advantage of the Applicant's invention is that the signaling required to reach a suitable policy setting is reduced compared with the teachings of Cranor. In Cranor, the service suggests different privacy policies until the user agrees, while in the present invention the user agent can inform the service which implies that the service can apply a suitable privacy setting immediately. This results in a reduced signaling and delay caused by the signaling and, thus, improved performance.

Therefore, whereas Cranor fails to teach each and every limitation of claim 25, that claim is not anticipated. Furthermore, whereas independent claims 33, 37 and 44 recites limitations analogous to those of claim 25. they are also not anticipated by Cranor. Moreover, whereas claims 26-29, 34-36, 33843 and 45-48 are dependent from claims 25, 33, 37 and 44, respectively. and include the limitations thereof, those claims are also not anticipated.

2.)   Claim Rejections – 35 U.S.C. §103(a)

As noted *supra*, Cranor fails to anticipate claims 25 and 37 because it does not teach a method or system in which a user agent transmits, in response

to reception of a privacy policy associated with a cookie, a cookie-policy receipt to a content provider, wherein the cookie-policy receipt specifies whether a user associated with the user agent accepts that the content provider provides the cookie to user equipment associated with the user agent. Mitchell likewise fails to teach that aspect of Applicant's claimed invention. Therefore, whereas claims 31-32 and 43 are dependent from claims 25 and 37, respectively, and include the limitations of their respective base claims, those claims are not obvious over Cranor in view of Mitchell.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Panel withdraw all rejections and issue a Notice of Allowance for all pending claims.

Respectfully submitted,

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